

DISPOSITION: December 31, 1949. Default decree of condemnation and destruction.

15777. Adulteration of frozen shrimp. U. S. v. 40 Cases, etc. (and 2 other seizure actions). (F. D. C. Nos. 28390, 28391, 28401, 28408. Sample Nos. 61835-K, 61836-K, 61904-K, 61906-K.)

LIBELS FILED: November 29 and 30, Western District of Tennessee.

ALLEGED SHIPMENT: On or about October 20 and November 1, 4, and 12, 1949, by R. E. Roberts, from San Antonio and Brownsville, Tex.

PRODUCT: 211 cases, each containing 10 5-pound cartons, of frozen shrimp at Memphis, Tenn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed shrimp.

DISPOSITION: On January 6, 1950, the shipper having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond to be denatured, under the supervision of the Food and Drug Administration. On February 10, 1950, the shipper having abandoned its claim, the court ordered that the product be sold to the highest bidder, to be converted into fertilizer or tankage under the supervision of the Food and Drug Administration. On March 2, 1950, no purchaser having been found, the court ordered that the product be delivered to a public institution, for use as fertilizer.

FRUITS AND VEGETABLES*

CANNED FRUIT

15778. Adulteration of canned gooseberries. U. S. v. 7 Cases * * *. (F. D. C. No. 28571. Sample No. 50799-K.)

LIBEL FILED: December 21, 1949, District of Montana.

ALLEGED SHIPMENT: On or about November 25, 1946, from San Francisco, Calif.

PRODUCT: 7 cases, each containing 6 6-pound, 5-ounce cans, of gooseberries at Butte, Mont.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of its chemical decomposition. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 6, 1950. Default decree of condemnation. The court ordered that the product be delivered to a State institution, to be denatured for use as animal feed.

15779. Adulteration of canned black raspberries. U. S. v. 391 Cases * * *. (F. D. C. No. 28596. Sample No. 42188-K.)

LIBEL FILED: January 12, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about December 12, 1949, by the Burnette Farms Packing Co., from Hartford, Mich.

PRODUCT: 391 cases, each containing 24 15-ounce cans, of black raspberries at Chicago, Ill.

LABEL, IN PART: "Burnette Farms Black Raspberries."

*See also No. 15751.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy berries.

DISPOSITION: February 23, 1950. Default decree of condemnation and destruction.

15780. Adulteration of canned black raspberries. U. S. v. 161 Cases * * *
(and 3 other seizure actions). (F. D. C. Nos. 27950, 28417, 28558, 28617.
Sample Nos. 50759-K, 50780-K, 50798-K, 55300-K.)

LIBELS FILED: November 1 and December 6 and 14, 1949, District of Montana,
and January 4, 1950, District of Nebraska.

ALLEGED SHIPMENT: On or about July 21, August 30, and October 1, 1949, by
Michigan Fruit Cannery, Inc., from South Haven, Mich., and Benton Harbor,
Mich.

PRODUCT: Black raspberries. 181 cases, each containing 24 15-ounce cans, at
Butte, Mont.; 5 cases, each containing 24 15-ounce cans, at Bozeman, Mont.;
and 46 cases, each containing 24 1-pound, 4-ounce cans, at Beatrice, Nebr.

LABEL, IN PART: (Can) "Rustic Brand Michigan Black Raspberries" and
"Climber Michigan Black Raspberries."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted
in whole or in part of (Montana lots) a decomposed substance by reason
of the presence of moldy raspberries and (Nebraska lot) decomposed raspberry
material.

DISPOSITION: The shipper having appeared as claimant for the Montana lots
and having obtained samples of the seized goods, but having subsequently
withdrawn its appearance, the court, on March 23, 1950, condemned these lots
and ordered them delivered to a State institution, for use as animal feed,
after denaturing under the supervision of the United States marshal.

On March 22, 1950, no claimant having appeared for the Nebraska lot, judgment of condemnation and destruction was entered.

DRIED FRUIT

15781. Adulteration of dried dates. U. S. v. 32 Cases * * *. (F. D. C.
No. 28415. Sample No. 50786-K.)

LIBEL FILED: December 10, 1949, District of Montana.

ALLEGED SHIPMENT: On or about September 15, 1949, by Long's Date Gardens,
from Pasadena, Calif.

PRODUCT: 32 cases, each containing 24 14-ounce baskets, of dried dates at
Billings, Mont.

LABEL, IN PART: "Long's Hydrated Dates from California."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in
whole or in part of a filthy substance by reason of the presence of insects; and,
Section 402 (a) (4), it had been prepared under insanitary conditions whereby
it may have become contaminated with filth.

DISPOSITION: March 31, 1950. Default decree of condemnation and destruction.

15782. Adulteration of prunes. U. S. v. Hudson-Duncan & Co. Plea of nolo
contendere. Fine, \$750. (F. D. C. No. 24830. Sample No. 36613-K.)

INDICTMENT RETURNED: November 1, 1948, District of Oregon, against Hudson-
Duncan & Co., a corporation, Dundee, Oreg. The indictment alleged that the
defendant knowingly and feloniously caused a quantity of prunes to be
introduced and delivered for introduction into interstate commerce.